

**Kansas Corporation Commission
Commission Meeting**

April 3, 2018

10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on April 3, 2018 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Albrecht, and Commissioner Apple. Commissioner Emler was absent. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Apple moved for approval of the Items on the Consent Agenda dated April 3, 2018 containing pages one through five and are attached to these Minutes. Chair Albrecht seconded the motion.

The motion was approved.

2. **Noticed:**

- A. **Docket No. 18-COXT-057-MIS**

In the Matter of the Application of Cox Kansas Telecom, LLC for Waiver of Requirement to Offer Equal Access to Interexchange Carriers.

Commissioner Apple moved for approval of order #18-1599- Order on Cox's Request to Waive the Requirement to Offer Equal Access to Interchange Carriers. Chair Albrecht seconded the motion.

The motion was approved.

- B. **Docket No. 18-CONS-3312-CPEN**

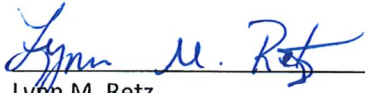
In the Matter of the Failure of R.L. Harris ("Operator") to Comply with K.A.R. 82-3-120.

Commissioner Apple moved to pass over this matter until concerns raised by Office of General Counsel could be addressed. Chair Albrecht seconded the motion.

The motion was approved.

There being no further matters before the Commission, Commissioner Apple moved for adjournment of the Commission meeting. Chair Albrecht seconded the motion. The motion was approved. The Commission adjourned the April 3, 2018 Commission Meeting at 10:05 a.m.

Respectfully submitted,



Lynn M. Retz
Secretary to the Commission



Shari Feist Albrecht, Chair



Pat Apple, Commissioner

Absent

Jay Scott Emler, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, April 3, 2018

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With IDT America Corp. <i>Order Assessing Costs</i>	06-SWBT-373-IAT	
2	In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Talk America, Inc. <i>Order Assessing Costs</i>	06-SWBT-419-IAT	
3	In the Matter of the Application of Birch Telecom of Kansas, Inc. to Change its Name to Birch Telecom of Kansas, LLC. (CLEC) <i>Order Assessing Costs</i>	18-BTKC-410-CCN	
4	In the Matter of the Application of Ionex Communications, Inc. to Change its Name to Ionex Communications, LLC. (CLEC) <i>Order Assessing Costs</i>	18-ICIT-412-CCN	
5	In the Matter of the Application of Ionex Communications, Inc. to Change its Name to Ionex Communications, LLC. (IXC) <i>Order Assessing Costs</i>	18-ICIC-414-CCN	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
6	In the Matter of the Application of Windstream Nebraska, Inc. for Modification to its Exchange Boundary <i>Order Assessing Costs</i>	18-WMNT-415-CXB	
7	In the Matter of the Cancellation of All Operating Certificates of Convenience and Authority Previously Granted to Rosebud Telephone, LLC <i>Order Assessing Costs</i>	18-RSBT-416-CCS	
8	In the Matter of the Application of Midwest Energy, Inc. for Approval of its 2017 Update to the Annual Transmission Revenue Requirement (ATRR) Associated With its Transmission Formula Rate. <i>Order Acknowledging Receipt of 2017 Update to Annual Transmission Revenue Requirement</i>	17-MDWE-495-TFR	
9	In the Matter of the Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated. <i>Order Granting Applicants' Motion to Admit Worksheet into Evidence</i>	18-KCPE-095-MER	
10	In the Matter of the Complaint Against Westar Energy by Douglas Yoder <i>Order Adopting Staff's Memorandum</i>	18-WSEE-286-COM	
11	In the matter of the application of Redtail Investments, LLC, to drill the Redtail #1 well located in Section 2, Township 35 South, Range 1 West, Sumner County, Kansas, as a deviated well pursuant to K.A.R. 82-103A. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3075-CHOR	
12	In the matter of the application of R & D Oil, LLC to authorize injection of saltwater into the Squirrel formation at the Roberson Lease, Wells # I-2 and I-3, located in Section 8, Township 18 South, Range 21 East, Franklin County, Kansas. <i>Order Designating Prehearing Officer and Setting Prehearing Conference</i>	18-CONS-3324-CUIC	
13	In the Matter of a General Investigation to Examine the Legal Issues Pertaining to the Notice Requirements for Applications, Filed Between October 2008 and the Present, Seeking Underground Injection of Salt Water Pursuant to K.A.R. 82-3-402. <i>Order Granting Intervention to EKOGA, Stroke of Luck Energy & Exploration, LLC, and CMX, Inc.</i>	18-CONS-3224-CINV	
14	In the Matter of the Application of Dixon Operating Company, LLC for an Exception to the 10-Year Limitation of K.A.R. 82-3-111 for its Forsyth Unit #7-1 Well Located in the Northwest Quarter of Section 20, Township 32 South, Range 12 West, Barber County, Kansas. <i>Order Granting Application</i>	18-CONS-3280-CEXC	
15	In the Matter of the Application of Merit Energy Company, LLC, for an Exception to the 10-Year Time Limitation of K.A.R. 82-3-111 for its McHargue A-2 Well in the Northeast Quarter of the Section 2, Township 33 South, Range 34 West, Seward County, Kansas. <i>Order Granting Application</i>	18-CONS-3290-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
16	In the Matter of the Application of Merit Energy Company, LLC, for an Exception to the 10-Year Time Limitation of K.A.R. 82-3-111 for its Stanton A-2 Well in the Southeast Quarter of the Southwest Quarter of Section 14, Township 29 South, Range 34 West, Haskell County, Kansas. <i>Order Granting Application</i>	18-CONS-3291-CEXC	
17	In the Matter of the Application of Berexco LLC for an Exception to the 10-year Time Limitation of K.A.R. 82-3-111 for its Albert #3 Well Located in SW NE SW of Sec 10, T11S, R19W Ellis County, Kansas. <i>Order Granting Application</i>	18-CONS-3329-CEXC	
18	In the matter of the application of Norstar Petroleum Inc., for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Johns #2-4 well located in the S/2 of the N/2 of the SW/4 of Section 4-T31S-R41W, Morton County, Kansas. <i>Order Granting Application</i>	18-CONS-3330-CEXC	
19	In the matter of the Application of Edison Operating Company, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Glasscock LKC Unit #2-1 well located in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 32, Township 24 South, Range 13 West, Stafford County, Kansas. <i>Order Granting Application</i>	18-CONS-3332-CEXC	
20	In the matter of the Application of Edison Operating Company, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Seevers LKC Unit #6-2 well located in the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 1, Township 25 South, Range 14 West, Stafford County, Kansas. <i>Order Granting Application</i>	18-CONS-3333-CEXC	
21	In the matter of the Application of Edison Operating Company, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Seevers LKC Unit #7-1 well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 1, Township 25 South, Range 14 West, Stafford County, Kansas. <i>Order Granting Application</i>	18-CONS-3334-CEXC	
22	In the matter of the Application of Edison Operating Company, LLC for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Seevers LKC Unit #8-3 well located in the Center of the Southwest Quarter of the Southeast Quarter of Section 1, Township 25 South, Range 14 West, Stafford County, Kansas. <i>Order Granting Application</i>	18-CONS-3335-CEXC	
23	In the Matter of the Application of Berexco LLC for a Third Exception to the 10-Year Time Limitation K.A.R. 82-3-111 for its Ford #1 Well Located in the SE SW of Sec. 9, T29S, T11W, Pratt County. <i>Order Granting Application</i>	18-CONS-3337-CEXC	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
24	In the Matter of the Investigation of Acentric, LLC of Overland Park, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-6), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <i>Penalty Order</i>	18-DPAX-411-PEN	
25	In the Matter of the Investigation of Griffiths & Coder Custom Chopping LLC of Atchison, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Order Withdrawing Motion</i>	18-TRAM-413-OOS	
26	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	18-TRAM-5141-TRA	
27	In the Matter of the Application of Time Clock Solutions, LLC for a Certificate of Convenience and Authority to Provide Interexchange Services Within the State of Kansas <i>Order Approving Certificate of Convenience Application</i>	18-TCST-198-COC	
28	In the Matter of the Application of Time Clock Solutions, LLC for a Certificate of Convenience and Authority to Provide Local Exchange Services Within the State of Kansas <i>Order Approving Certificate of Convenience Application</i>	18-TCST-199-COC	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

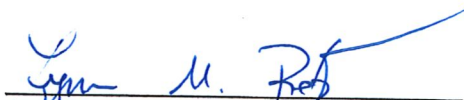
For the Commission :


Shari Feist Albrecht, Chair

Absent
Jay Scott Emler, Commissioner


Pat Apple, Commissioner

Attest:


Lynn M. Retz
Secretary to the Commission

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMLER, COMMISSIONER | PAT APPLE, COMMISSIONER

Transportation Orders By Docket Number 18-TRAM-5141-TRA

Order Number	Description	Removed
18-1556	<i>In the Matter of the Application of A TOE SERVICE LLC of EUREKA KS for Authority for a Certificate of Public Service.</i> USDOT #3098825 A TOE SERVICE LLC of EUREKA KS - Order Granting Application for Certificate of Public Service	
18-1557	<i>In the Matter of the Application of JEREMY TODD SCHROEDER of HILLSBORO KS for Authority for a Certificate of Public Service.</i> USDOT #1703455 JEREMY TODD SCHROEDER of HILLSBORO KS - Order Granting Application for Certificate of Public Service	
18-1560	<i>In the Matter of the Application of MARCELLUS HOUSE MOVING LLC of LIBERAL KS for Authority for a Certificate of Public Service.</i> USDOT #328489 MARCELLUS HOUSE MOVING LLC of LIBERAL KS - Order Granting Application for Certificate of Public Service	
18-1561	<i>In the Matter of the Application of D&D LEASE SERVICES LLC of PRATT KS for a Private Carrier Permit.</i> USDOT #3106762 D&D LEASE SERVICES LLC of PRATT KS - Order Granting Application for a Private Carrier Permit	
18-1563	<i>In the Matter of the Application of ZECK MOTOR COMPANY of LEAVENWORTH KS for a Private Carrier Permit.</i> USDOT #2326956 ZECK MOTOR COMPANY of LEAVENWORTH KS - Order Granting Application for a Private Carrier Permit	
18-1567	<i>In the Matter of the Application of SARGENT TRUCKING LLC of OBERLIN KS for a Private Carrier Permit.</i> USDOT #3089805 SARGENT TRUCKING LLC of OBERLIN KS - Order Granting Application for a Private Carrier Permit	
18-1568	<i>In the Matter of the Application of SARGENT TRUCKING LLC of OBERLIN KS for Authority for a Certificate of Public Service.</i> USDOT #3089805 SARGENT TRUCKING LLC of OBERLIN KS - Order Granting Application for Certificate of Public Service	

**Transportation Orders By Docket Number
18-TRAM-5141-TRA**

Order Number	Description	Removed
18-1569	<i>In the Matter of the Application of ZIEGLER TRANSPORT LLC of ARKANSAS CITY KS for the Abandonment of Certificate of Public Service.</i> USDOT #2498302 ZIEGLER TRANSPORT LLC of ARKANSAS CITY KS - Order Granting Request for Abandonment for Certificate of Public Service	
18-1598	<i>In the Matter of the Application of COG MARKETERS LTD of SAINT JOHNS MI for a Private Carrier Permit.</i> USDOT #257073 COG MARKETERS LTD of SAINT JOHNS MI - Order Granting Application for a Private Carrier Permit	
18-1602	<i>In the Matter of the Application of SANTA FE AIR CONDITIONING AND REFRIGERATION INC of GARDNER KS for a Private Carrier Permit.</i> USDOT #950487 SANTA FE AIR CONDITIONING AND REFRIGERATION INC of GARDNER KS - Order Granting Application for a Private Carrier Permit	

Total # of Orders: 10

End of Report